

ENTERED

January 12, 2024

Nathan Ochsner, Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

LANDSCAPE CONSULTANTS OF
TEXAS, INC., *et al.*

Plaintiffs,

v.

CITY OF HOUSTON, TEXAS, *and*
MIDTOWN MANAGEMENT
DISTRICT

Defendants.

Civil Action No. 4:23-cv-3516

ORDER

Pending before the Court is Defendant City of Houston's Rule 12 (b)(1) and (6) Motions to Dismiss as to Plaintiff Metropolitan Landscape Management, Inc. and 12(b)(1) Motion to Dismiss Section 1981 Claim by Plaintiff Landscape Consultants of Texas, Inc. (Document No. 18) and Defendant Midtown Management District's Motion to Dismiss Pursuant to Rules 12(b)(1) and 12(b)(6) (Document No. 26). Having considered the motions, submissions, and applicable law, the Court determines the motions should be denied. Accordingly, the Court hereby

ORDERS that Defendant City of Houston's Rule 12 (b)(1) and (6) Motions to Dismiss as to Plaintiff Metropolitan Landscape Management, Inc. and 12(b)(1)

Motion to Dismiss Section 1981 Claim by Plaintiff Landscape Consultants of Texas, Inc. (Document No. 18) is **DENIED**. The Court further

ORDERS that Defendant Midtown Management District's Motion to Dismiss Pursuant to Rules 12(b)(1) and 12(b)(6) (Document No. 26) is **DENIED**.

SIGNED at Houston, Texas, on this 13 day of January, 2024.



DAVID HITTNER
United States District Judge